September/October 2004

# Aquatic Nuisance Species Program Update

## USCG Penalties for Non-submittal of Ballast Water Reports

On June 14, 2004, the Coast Guard published regulations establishing penalties for ships headed to the U.S. that fail to submit a ballast water management reporting form, as well as vessels bound for the Great Lakes or portions of the Hudson River that violate mandatory ballast water management requirements.

These regulations also increase the number of vessels subject to these provisions by expanding the reporting and the recordkeeping requirements on ships, increasing the Coast Guard's ability to prevent the introduction of nonindigenous species as required by the Nonindigenous Aquatic Nuisance Prevention and Control Act and the National Invasive Species Act. As of August 13, 2004, the Coast Guard may impose a civil penalty of up to $27,500 per day and Class C Felony charge for non-submittal.

Vessels are strongly encouraged to electronically submit ballast water management reporting forms via e-mail and/or web-based methods available at the National Ballast Information Clearinghouse web site: http://invasion.si.edu/NBIC/bwform.html.

This final rule can be found at: http://dms.dot.gov. In this web site, proceed to simple search, and under docket number, enter 13147.

## USCG Mandatory Ballast Water Management Program for U.S. Waters

On July 28, 2004, the U.S. Coast Guard published regulations establishing a national mandatory ballast water management program for all vessels equipped with ballast water tanks that enter or operate within U.S. waters.

These regulations also require vessels to maintain a ballast water management plan that is specific for that vessel and allows any master or appropriate official to understand and execute the ballast water management strategy for that vessel.

The establishment of a nationwide mandatory ballast water management program is a major step by the Coast Guard in protecting our environment, food supply, economy, health and overall biodiversity from the impacts of non-indigenous species," said Capt. David Scott, Chief of the Coast

Guard's Office of Operating and Environmental Standards.

This final rule can be found at: http://dms.dot.gov. In this web site, proceed to simple search, and under docket number, enter 14273.

## Great Lakes States Petition for Action on Vessels without Ballast On Board

On July 15, 2004, The Coast Guard received a petition from Attorney Generals of seven Great Lakes states to expand ballast water regulations governing vessels entering the Great Lakes.

The states, led by New York and including Illinois, Michigan, Minnesota, Ohio, Pennsylvania, and Wisconsin are calling for stronger action to control discharges of ballast water from oceangoing vessels, a practice identified as the chief cause of the problem.

As part of the coordinated effort, the states filed a petition with the Coast Guard to revise ballast water management regulations.

The attorney generals petitioned the U.S. Coast Guard to regulate "No Ballast On Board (NOBOB) vessels, citing that the vessels bring nonindigenous species to the Great Lakes but are not required to do anything to remove or kill foreign species in their ballast tanks.

The Coast Guard is currently preparing our response to this petition.

# Ballast Water Management Issues on Agenda at IMO

At the 51st Session of the Marine Environmental Protection Committee (MEPC) held at the International Maritime Organization (IMO) headquarters in London, March 29-April 2nd, 2004, the MEPC approved the prioritized schedule for the development of guidelines for the Ballast Water Management Convention.

Several supporting guidelines including those for approving Ballast Water Management Systems are the highest priority to be finalized by MEPC 52, which will meet October 11-15, 2004. This is to facilitate the review required under Regulation D-5 by MEPC 53 in July 2005.

The MEPC agreed to an intercessional meeting of the Ballast Water Working Group in the week prior to MEPC 52 and invited subcommittees, member states, and observers to provide input and expertise to support guideline development.

Development of the guidelines will take place intercessionally in informal correspondence groups. MEPC 52 will also have discussion of the process for the convention review scheduled for MEPC 53.

# Work Continues to Develop a Ballast Water Discharge Standard

The Coast Guard continues to work on developing a standard for ballast water discharge (BWD). This standard for BWD will be scientifically sound, environmentally protective, and enforceable.

An Advanced Notice of Proposed Rulemaking was published March 4, 2002, a Notice of Intent for EIS was published September 26, 2003, and public meetings were held nation wide in October and November of 2003.

### Ballast Water Discharge Standard Elements:

- Macrozooplankton & Nekton
-0.01 to 10 organisms/cubic meter
- Protists including phytoplankton
-0.01 to organisms/milliliter
- Microbial organisms
-# of colony forming units of indicator microbes

### Ballast Water Discharge Standard Issues:

- Concentration based
- Full range of organisms
- Living organisms vs. viable organisms
- Indicator microbes
- Microbes using a human health standard

## *Calendar of Events*

**September 8-10, 2004**
**Ballast Water and Waste Water Conference**
Hotel Landgut Horn
Bremen, Germany

**September 19-23, 2004**
**13th Annual International Conference on Aquatic Invasive Species, Ireland**
Conference Website:
www.aquatic-invasive-species-conference.org

**September 28, 2004, 9:30 am**
**MEPC 52 Public Meeting**
Coast Guard Headquarters
2100 Second St, SW, Rm 2415
Washington, DC 20593
Information: (202) 267-2079

**October 11-15, 9:30 am**
**MEPC 52**
IMO Headquarters
4 Albert Embankment
London SE1 7SR UK

**Environmental Standards Division**
**(G-MSO-4)**
**U.S. Coast Guard Headquarters**
**2100 Second Street, S.W., Room 1601**
**Washington, DC 20593**

**Information line: 202-267-2716**
**EnvironmentalStandards@comdt.uscg.mil**

# USCG Expands ANS Outreach Efforts with Coast Guard Auxiliary

The Coast Guard is in the process of expanding its ANS Program to include working more closely with the Coast Guard Auxiliary (AUX) to spread the word on ANS prevention. Bait tanks, angling equipment, recreational boat ballast systems (sail and power), and boats on trailers are just a few examples of how recreational boating equipment can transport ANS. Outreach Activities during basic boating safety courses and AUX recreational boater education can be an important part of preventing their spread. AUX boating safety booths at marine events provide a great platform for reaching a large number of recreational boaters.

The Coast Guard currently uses many NOAA Sea Grant outreach materials and other products in its efforts to educate the boating community about the threats posed by and steps they can take to prevent their spread. Though expanding the distribution of brochures, videos, stickers, presentations across the U.S., the AUX will be able to impress upon the public the importance of taking simple measures to prevent further spread of ANS while enjoying America's waterways. More information can be found at: http://www.uscg.mil/hq/g-m/mso/vrag.htm, or at: http://www.cgaux.org.

# Coast Guard Ballast Water Programs

## USCG's STEP Program:

The Coast Guard's new Shipboard Technology Evaluation Program (STEP) was launched on January 7, 2004. The STEP is intended to encourage research and development of effective shipboard ballast water treatment (BWT) systems and create more options for foreign and domestic vessels owners seeking alternatives to ballast water exchange. To date, the Coast Guard has received one application.

## "No Ballast On Board":

The Coast Guard is collaborating with academic and government researchers, and the shipping industry on studies that characterize the temporal and spatial patterns of "No Ballast On Board" (NOBOB) vessels, the amount and distribution of water and sediment carried in their ballast tanks, and the composition of the biological communities they carry. This project is being conducted through the NOAA Great Lakes Environmental Research Laboratory (GLERL).

## Technology Verification:

The Coast Guard has established a formal engineering test program with the U.S. Environmental Protection Agency's (EPA) Environmental Technology Verification (ETV) program. This alliance is designed to accelerate the development and commercialization of ballast water treatment technologies through third party verification and reporting of performance.

## Verification of Mid-Ocean Exchange:

To support future enforcement efforts, the Coast Guard R&D Center is coordinating the development of an improved method for verifying that ballast water in a vessel was in fact taken on in mid-ocean.